



PATENT
Customer No. 22,852
Attorney Docket No. 03495.0320-01000
(Formerly 05394.0011-01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stewart COLE <i>et al.</i>)	Group Art Unit: 1634
)	
Application No.: 10/802,796)	Examiner: Unassigned
)	
Filed: March 18, 2004)	
)	
For: A METHOD FOR ISOLATING A)	
POLYNUCLEOTIDE OF INTEREST)	
FROM THE GENOME OF A)	
MYCOBACTERIUM USING A BAC-)	
BASED DNA LIBRARY, APPLICATION)	
TO THE DETECTION OF)	
MYCOBACTERIA)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, Application No. 09/673,476, filing date October 16, 2000, upon which applicant relies for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the

Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 15, 2004

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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	034051320-01 (formerly 05394.0011-01)	Appln. No.	10/802,796
Applicant	Stewart COLE et al.		
Filing Date	March 18, 2004	Group:	1634

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		WO 9723624	07/31/97	WO			
		WO93/03187	Feb. 1993	PCT			
		WO93/18186	Sept. 1993	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Brosch et al., "Use of a Mycobacterium Tuberculosis H37Rv Bacterial Artificial Chromosome Library for Genome Mapping Sequencing, and Comparative Genomics," <u>Infection and Immunity</u> , Vol. 66, No. 5, pp. 2221-2229 (May 1998)
	Cole et al., "Deciphering the Biology of <i>Mycobacterium tuberculosis</i> from the Complete Genome Sequence," <u>Nature</u> , Vol. 393, pp. 537-544 (June 11, 1998)
	Cole et al., "Analysis of the Genome of <i>Mycobacterium tuberculosis</i> H37Rv", Novartis Foundation Symposium, pp. 160-177 (1998)
	Kim et al., "Construction and Characterization of a Human Bacterial Artificial Chromosome Library," <u>Genomics</u> , Vol. 34, pp. 213-218 (June 1, 1996).
	Philipp et al., "Physical Mapping of <i>Mycobacterium bovis</i> BCG Pasteur Reveals Differences from the Genome Map of <i>Mycobacterium tuberculosis</i> H37Rv and from <i>M. bovis</i> ," <u>P.N.A.S.</u> , Vol. 142:3135-3145 (1996)
	Philipp et al., "An Integrated Map of the Genome of the Tubercle Bacillus, <i>Mycobacterium Tuberculosis</i> H37Rv, and Comparison with <i>Mycobacterium leprae</i> ," <u>Microbiology</u> , Vol. 93:3132-3137 (1996)
	Zimmer et al., "Construction and Characterization of Large-Fragmented Chicken Bacterial Artificial Chromosome Library", <u>Genomics</u> , Vol. 42:217-226 (1997)



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	03495-0320-01 (formerly 05394.0011-01)	Appln. No.	10/802,796
Applicant	Stewart COLE et al.		
Filing Date	March 18, 2004	Group:	1634

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	International Search Report of PCT/IB99/00740
	U.S. Patent Application Serial Nos. 09/060,756 and 09/670,314 (same disclosure)
	GenEmbl AD00001
	GenEmbl AD000017
	GenEmbl U00013
	GenEmbl X63508 (November 20, 1996)
	GenBank Z79701[gi:1524225] (submitted September 2, 1996; posted September 6, 1996; replaced June 27, 1998) (23 pages).
	GenBank Z79701 Revision history (1 page).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce